

Eric I. Abraham
HILL WALLACK LLP
202 Carnegie Center
CN 5226
Princeton, New Jersey 08543
Telephone: (609) 924-0808
Facsimile: (609) 452-1888

Richard J. Basile
David W. Aldrich
Roy D. Gross
Erin R. Woelker
ST. ONGE STEWARD JOHNSTON & REENS LLC
986 Bedford Street
Stamford, Connecticut 06905-5619
Telephone: (203) 324-6155
Facsimile: (203) 327-1096

Attorneys for Defendants Apotex, Inc. and Apotex Corp.

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

ASTRAZENECA LP and	:	
ASTRAZENECA AB,	:	
	:	Civil Action No.: 1:09-cv-1518
Plaintiffs,	:	(RMB) (AMD)
	:	
v.	:	DOCUMENT ELECTRONICALLY
	:	FILED
APOTEX, INC. and APOTEX CORP.,	:	
	:	
Defendants.	:	
	:	

DECLARATION OF ROY D. GROSS

**IN SUPPORT OF DEFENDANT APOTEX'S
MOTION TO COMPEL THE PRODUCTION OF
COMMUNICATIONS WITH IN-HOUSE COUNSEL IN SWEDEN**

I, Roy Gross, based on personal knowledge, hereby declare as follows:

1. I am an associate of the law firm of St. Onge Steward Johnston & Reens LLC, counsel for Defendant Apotex, Inc. and Apotex Corp. in this action, and I am familiar with the facts stated herein, and, if called to testify, would competently testify thereto.
2. I submit this Declaration in support of Defendant Apotex's Motion to Compel the Production of Communications with In-House Counsel In Sweden.
3. Attached hereto as Exhibit A is a true and correct copy of a letter dated January 15, 2010 from Hassen A. Sayeed to Amy D. Brody and David W. Aldrich.
4. Attached hereto as Exhibit B is a true and correct copy of a letter dated January 19, 2010 from Roy D. Gross to Hassen A. Sayeed.
5. Attached hereto as Exhibit C is a true and correct copy of a letter dated January 20, 2010 from Michael S. Burling to Roy D. Gross.
6. Attached hereto as Exhibit D is a true and correct copy of a letter dated February 2, 2010 from David W. Aldrich to Michael S. Burling.
7. Attached hereto as Exhibit E is a true and correct copy of a letter dated February 22, 2010 from Michael S. Burling to David W. Aldrich.
8. Attached hereto as Exhibit F is a true and correct copy of a letter dated February 22, 2010 from David W. Aldrich to Michael S. Burling.
9. Attached hereto as Exhibit G is a true and correct copy of a letter dated February 25, 2010 from Michael S. Burling to David W. Aldrich.
10. Attached hereto as Exhibit H is a true and correct copy of a letter dated March 10, 2010 from David W. Aldrich to Michael S. Burling.

11. Attached hereto as Exhibit I is a true and correct copy of an email dated March 10 from Brian Kao to counsel of record and select pages of AstraZeneca's privilege log attached thereto.

12. Attached hereto as Exhibit J is a true and correct copy of a letter dated April 7, 2010 from Eric I. Abraham to Judge Ann Marie Donio, without exhibits.

13. Attached hereto as Exhibit K is a true and correct copy of a letter dated April 19, 2010 from John E. Flaherty to Judge Ann Marie Donio, without exhibits.

14. Attached hereto as Exhibit L is a true and correct copy of a Declaration of Peter Sande that was attached to the letter dated April 19, 2010 from John E. Flaherty to Judge Ann Marie Donio attached hereto as Exhibit K.

15. Attached hereto as Exhibit M is a true and correct copy of a Declaration of Linda Landén dated June 3, 2010.

16. Attached hereto as Exhibit N is a true and correct copy of select pages from a Lex Mundi Multi-Jurisdictional Survey, obtained at:

http://www.lexmundi.com/images/lexmundi/PDF/AttyClient/2009Update/Attorney_Client_Update8.09_Main_Document.pdf.

17. Attached hereto as Exhibit O is a true and correct copy of the article: Lordi, *The Attorney-Client Privilege in the European Union and Italy: Time for a Change*, 11 Duq. Bus. L.J. 47, 51 (2008).

18. Attached hereto as Exhibit P is a true and correct copy of the article: Hill, *Disparate Positions of Confidentiality and Privilege Across National Boundaries Create Danger and Uncertainty for In-House Counsel and Their Clients*, Widener Law School Studies, Research Paper No. 08-65, obtained at: http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1147659.

19. Attached hereto as Exhibit Q is a true and correct copy of select pages of the report: *Fish, Regulated legal professionals and professional privilege within the European Union, the European Economic Area and Switzerland, and certain other European jurisdictions*, CCBE, 2004.

20. Attached hereto as Exhibit R is a true and correct copy of the article: *The Privilege Patchwork*, *The European Lawyer*, April 2008, at 11.

21. Attached hereto as Exhibit S is a true and correct copy of the article: Davainis, *Are European In-House Counsel Covered by the Attorney-Client Privilege?*, *International Journal of Baltic Law*, Vol. 1, No. 4 (December 2004).

22. Attached hereto as Exhibit T is a true and correct copy of a publication of the Swedish Bar Association, obtained at:
http://www.advokatsamfundet.se/Documents/Advokatsamfundet_eng/From%20Scandinavian%20Studies%20of%20Law.pdf

I hereby declare under penalty of perjury that the foregoing is true and correct.

7/20/10
Date

R. Gross
Roy D. Gross